

The Commonwealth of Massachusetts
PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION
John W. McCormack Building, Room 1101
Boston, Massachusetts 02108
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POLICY NO: 97-004

Commission Regulations

The Public Employee Retirement Administration Commission (Commission) must perform its oversight function and management of affairs in an efficient and effective manner in compliance with the laws of the Commonwealth. One important function of the Commission is to promulgate regulations to assure that the conduct and operation of the retirement systems for public employees in the Commonwealth are consistent, efficient, fair and in compliance with all relevant statutory provisions. Commission regulations are an important tool to assist the retirement boards in their day-to-day operations while assuring that the members of the system and their beneficiaries receive their entitlements in a fair and consistent manner. The Commission therefor establishes this policy to further implement its responsibility for the efficient administration of the public employee retirement systems in the Commonwealth.

The Commission establishes the following policy for development and promulgation of its regulations. The Commission recognizes that the regulatory process is best served when input and comment are received from all affected persons and entities. The following policy incorporates provisions for public hearings and periods for public review and comment that are in addition to and exceed the statutory requirements for the enactment of regulations. These provisions are reflected in the Commission's Timeframes for Promulgating Regulations, which is attached and is a part of this policy.

The Commission's promulgated regulations shall also comply with the spirit and intent of Executive Order No. 384 signed by Governor Weld on February 7, 1996. The regulations will be drafted so as to be clear, concise and in readily understandable language. The shortest and simplest regulations necessary to achieve the purpose of such regulations shall be promulgated.

Preliminary drafts of regulations will be developed by the Commission staff in consultation with the appropriate Commission Sub-Committee. The Commission Sub-

Committee and staff may seek input and assistance from various sources when preparing the preliminary draft of regulations. The preliminary draft will be presented to the Commission for review, discussion and possible modification.

Upon approval of the Commission, the draft regulations will be widely disseminated. Comments will be solicited from the public and from all interested persons and entities. Public hearings will be scheduled at such times and in such places so as to allow for maximum comment from those interested in the regulations.

After the public hearings and comment period, the Commission staff and the appropriate Commission Sub-Committee will review any comments received and prepare a final draft of the regulations for Commission review.

The Commission will review the final draft of the regulations. Upon approval of the final draft, the Commission will direct that the regulation be filed as required by law.

The statutory filing requirement includes a provision that Commission regulations be filed with the legislature. The statutory process includes a provision for comments and suggestions from the Joint Committee on Public Service. If suggestions are received, the Commission will complete its review within the time mandated by the statute and resubmit the regulations to the Joint Committee.

The Commission will provide a complete copy of any regulation adopted to each retirement board.

Adopted at the Commission meeting on May 27, 1997.